IN THE UNITED STATES DISTRICT COURT

OF THE SOUTHERN DISTRICT OF MISSISSIPPI SOUTHERN DIVISION

JEROME D. JOHNSON

PLAINTIFF

V.

CIVIL ACTION NO. 1:07cv539LG-JMR

DONALD A. CABANA, et al.

DEFENDANTS

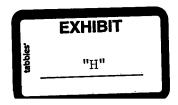
STATE OF MISSISSIPPI

COUNTY OF HARRISON

AFFIDAVIT OF CORRECTIONS OFFICER ERIC TARPLEY HARRISON COUNTY SHERIFF'S OFFICE

PERSONALLY CAME AND APPEARED BEFORE ME the undersigned authority in and for the County and State aforesaid, the within named ERIC TARPLEY who, after first being duly sworn by me on his oath, did depose and state the following:

- 1. My name is Eric Tarpley and I am over the age of twenty-one (21) years. I am a Deputy officer with the Harrison County Sheriff's Office and held the position of Disciplinary Officer at all times relevant to Plaintiff claim(s). I have personal knowledge of the matters and facts contained in this Affidavit and I am competent to testify to the matters stated herein.
- 2. At no time during my tenure as a Disciplinary Officer at the HCADC was I given the task or responsibility of investigating criminal matters arising at the HCADC. It is the policy of the HCADC that criminal charges against inmates are investigated through the Criminal Investigation Division (CID).



3. On September 1, 2006, during a cell shakedown, contraband was found in Plaintiff's cell area, as a Disciplinary Officer, I was forwarded the Rule Violation Report that was issued in this incident. As a major violation the Plaintiff received such disciplinary action that included a Detention Notice and Plaintiff was placed in Segregation Confinement from September 8. 2006 until September 20, 2006. See Rule Violation Report, Detention Notice, and Segregation Confinement Record, collectively attached hereto as Exhibit "1".

At the time Plaintiff was charged with sexual assault, Plaintiff did not receive 4. a Rule Violation Report because this was a criminal matter and all criminal matters are handled through CID and the courts.

I certify the above declaration is true and correct under penalty of perjury.

Harrison County, Mississippi

Sworn to and subscribed before me on this the 15+ day of wor

My Commission Expires:

(SEAL)



Har. son County Adult Detention Center George Payne, Sheriff Rule Violation Report

NO 43315

Director of Corrections or Designee

			F		
	nate Name:			3) Inmate Housing	Block/Section/Cell: -
287256)	Ohnson Je	rome		C-D-2	31
1 . '	Rule violation	6) Evid	lence 🗌 Yes 🗍	No Location:	
9-1-06 0945 B Rule Violation (s): (3 + 5 5	Major Minor				
Rule Violation (s):	Wajor Willion:	L			
H. Sale / Possessi		aband.			
7) Inmate Classification: J	uvenile 🔲 Minimum Se	ecurity Mediu	ım Security	Maximum Securit	y Inmate Worker
8) Inmate Placed In Prehearing			D Section: 1		,
9) Notice Served by:		Date: 9/1/C	70	Time:	
10) Reporting Officer:		Division:		Reviewing Super	rvisor
No. 289 Name 770 / 106	Collections		No. Name		
I request investigation and with	iess(es)				01
I waive the right to a hearing within no less than 24 hours an	☐ Yes ☐ No Inmates Init Id no more than 7 working	tials Unless wai	ved, you are her	eby notified that a	hearing will be held
* Working days between date of	of violation and hearing	ng days in the appi	ropriate nearing	omce.	
If more than seven (7) working	days, explain:				
*Documents read and discussed	I ☐ RVR ☐ Investigation	n 🗌 Witness(es) St	atement 🗌 Othe	r (specify)	
Appeal may be filed with Direc	tor of Corrections or des	signee within 15 day	ys after receipt o	of disciplinary decis	ion.
Offender Signature:	T. I. C.		Dat		
11) Disc Offers I Land	To be Comp	leted by Discipl	linary Officer		· · · · · · · · · · · · · · · · · · ·
11) Plea Offered by:		Date:		Time:	
Plea Accepted Inmate Initia	l's: Plea Refus	ed Inmate Initia	al'e• ·	Date:	Time:
		sciplinary Hear		Date:	1 mie:
12) Date:	Time:	scipilial y fical		ocation:	
		Board Member		ocation.	
1.	2.	Dourd Wichiger	3.		
		Findings of Bo	pard		
Narrative of Board Findi	ngs:				
			•	-	
	<u> </u>				
					
14) Guilty [15) Dismissed [16) Criminal Prosec	cution [17) Oth	er:		
,	18) Type	of Sanction (s)	Imposed		
Administrative Segregation	Start Date:	Time:	Ending I	Date:	Time:
· .					
Restricted Canteen	Start Date:	Time:	Ending I	Date:	Time:
Restricted Visitation	Start Date:	Time:	Ending I	Date:	Time:
· Verbal Wa	arning [Wr	itten Warning	
Disciplinary Officer:	. Division:	Final Die	mosition Date:	Page: of	
No. Name:		EXHIBIT		<u> </u>	
White - Inmate Copy	Canary - I		scipline File	Gold - Captain	of Security

Harrison County Adult Detention Center George Payne, Jr., Sheriff

Detention Notice

Part I ·	Date: 9-1-06 Time: 11000
Inmate Name: Suhmon Serone	· Docket #: _ <u> </u>
Present Cell Assignment: CO Dog	Moved to: 60 33 c
Reason for Application:	· • •
	·
Cation I : majon	
Facts:	
Tampering with Securit Devices	
- Nampoord or , t	•
•	
	·
P. In 170	
Officer's Signature	
Part II	•
To be read to all inmates by the shift supervisor	
(1) You have the right to be provided written notice of right to call witnesses. (3) You have the right to preservule violation report (s), you have the right to have the employee from the Disciplinary Department. (5) You have the formally charged. You will meet with a Hearing Officer you must request that time from the Hearing Officer in	nt written statement (s): (4) in the above interesting in the statement (s) investigated by an investigation ave the right to counsel when you have been rewithin 72 working hours. If you need more time,
I have been informed of my rights concerning m	ry detention:
I that need unormer or my using conserving	PALL NIS
•	1/100000 2/13
Inmake's Signature	ignature of Authority Witnessing Immate's Perusal / Service
010/	ITO.
Date: 9-1-00 / Time: 1900	Position:
	Postuli
Check if inmate refused [2]	Supervisor's Signature
	:
Part III	
• to oftendam	Time:
Date of Hearing:	
Name of Witnesses:	.
Part IV	
	•
Findings of Hearing Officer (72 hour review):	
Findings of Hearing Officer (72 hour review):	
Findings of Hearing Officer (72 hour review):	
Findings of Hearing Officer (72 hour review):	
Findings of Hearing Officer (72 hour review):	Signature of Hearing Officer
Findings of Hearing Officer (72 hour review): : 3-ALDF-3D-02 & 30-03	Signature of Hearing Officer

Discipline File

Inmate File

Harrison County Adult Detention Center George Payne, Sheriff

Segregation Confinement Record

•		Date Assigned to Segregation: 9-1-06		
•				
Segregation Statu	ıs (Check One)	Reasons for Segregation (Explain Fully):		
Pre-Hearing Detention Protective Custody Administrative Segregation Disciplinary Segregation		Dre-herrig- Trungeng with Stand Devres.		
Medical Obse	ervation			
conditions, restrictions a filled in. If no condition	and/or precautions. (At	named inmate is subject to the following special tach additional sheets if necessary. Each line must be		
Recreation/Exercise:	none			
Property Restrictions:	none			
Linker i imminute		•		
Assault Risks:	hone			
Assault Risks: Known Enemies:	hol			
Assault Risks: Known Enemies: Gang Affiliation(s):	hone hone hone			
Assault Risks: Known Enemies: Gang Affiliation(s): Restraints Required: Other Special Conditions	hore hone			
Assault Risks: Known Enemies: Gang Affiliation(s): Restraints Required:	hore hone home			